

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Hidetsugu Tsubouchi et al.) Group Art Unit: 1752
Application No.: 10/574,597) Examiner: Emily B. Bernhardt
Filed: April 27, 2007)
For: 2,3-Dihydro-6-Nitroimidazo (2, 1-b)) Confirmation No.: 3970
Oxazole Compounds for the)
Treatment of Tuberculosis)

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION TO EXPUNGE UNDER 37 C.F.R. § 1.59(b)

On April 27, 2007, Applicants filed an Information Disclosure Statement in the above-identified application, citing the five documents listed below:

1. EP-1 508 355 A1
2. EP-0 294 176 A1
3. EP-0 164 830 A2
4. JP-2001-72472
5. JP-10-238954

Applicants have determined that the filing of this Information Disclosure Statement in this patent application on April 27, 2007, was an inadvertent error and respectfully request that the information disclosure statement and the five documents cited therein be expunged from the file and the record of this patent application.

The documents cited in the information disclosure statement filed in error in the present application, relate to 1) a honeycomb filter and ceramic filter assembly, 2) lightweight laminated or composite structures, 3) reaction bonded carbide, nitride, boride, silicide or sulfide bodies, 4) a jig for burning silicon carbide, and 5) a continuous furnace with lower surface cleaning of the base plate, and are unrelated to the technology of the above-identified application and are not material to the examination or patentability of the above-identified patent application. The documents cited in the Information Disclosure Statement were intended for filing in an unrelated patent application and were inadvertently matched with the file of this patent application.

From the foregoing, it is clear that the above listed documents are unrelated to the technology of the above-identified patent application directed to 2,3-dihydro-6-nitroimidazo (2, 1-b) oxazole compounds for the treatment of tuberculosis. For this reason, Applicants request that this Petition to Expunge be granted, and that the Information Disclosure Statement filed on April 27, 2007, and the above listed documents submitted on April 27, 2007, and cited in the Information Disclosure Statement filed on April 27, 2007, be expunged from the file wrapper and the record of the above-identified application no. 10/574,597.

This Petition is being filed electronically and the \$200.00 petition fee is being paid by credit card. Please grant any extensions of time required to enter this response, and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 16, 2010

By: 
Ernest F. Chapman
Reg. No. 25,961